

**NORTH RIDGEVILLE MUNICIPAL COUNCIL  
MINUTES OF  
REGULAR MEETING                      APRIL 6, 2009**

**CALL TO ORDER:** 7:30 P.M.

President Bernadine Butkowski: I call to order the North Ridgeville City Council Meeting of Monday, April 6, 2009. Please stand for the invocation and pledge of allegiance.

**INVOCATION:** lead by President Butkowski.

**PLEDGE OF ALLEGIANCE:** by all.

**ROLL CALL:**

Present were Council Members Nancy Buescher, Richard Jaenke, Bob Olesen, Kevin Corcoran, Ray McLaughlin and President Bernadine Butkowski.

Absent was Council Member Dennis Boose.

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Engineer Larry Griffith, Law Director Andrew Crites, Auditor Chris Costin and Clerk of Council Warren Blakely.

**MINUTES - Corrections (if any) and Approval:**

President Butkowski:

Council Minutes of regular meeting held March 16, 2009

    moved by Jaenke, seconded by Olesen to approve the minutes

President Butkowski: Are there any corrections? Clerk, please call the roll.

    Yes, 5            No, 0            Abstain, 1 (Butkowski)

Clerk of Council Blakely: Motion passes by a vote of five to zero with one abstention.

President Butkowski: Please note:

Parks and Recreation Commission Minutes of regular meeting February 25, 2009;

Civil Service Commission Minutes of regular meeting March 17, 2009; and

Board of Zoning & Building Appeals Minutes of regular meeting March 26, 2009.

**LOBBY:**

President Butkowski: I'm asking anyone who would like to address Council tonight to fill out a form in the back of the room and place it on the desk next to Mrs. Buescher. That will allow us to get back to you if necessary. Please give your name and address. We will have no interaction tonight. All questions will be answered after the meeting or you will be contacted later. You will

have three minutes to address the council. Who would like to speak tonight? Is there anyone who would like to speak for the Lobby tonight?

1) Larry Vassil of 3971 Evergreen Lane, Richfield, Ohio, requested Council to pass the legislation before them tonight regarding Ohio Sports Park and expressed the importance of its' passage this evening. He explained that they are scheduled to open April 11 and are sold out until the end of September. Without the passage of this legislation, it will hold them up in the construction of their building which is necessary for this park. He explained that they have received all positive feedback from residents. He again asked Council to consider the time frame and noted that they have been available for questions and have not really received any.

President Butkowski: Anyone else that would like to speak tonight? Is there anyone else that would like to speak? Larry, you will have to fill out a form.

2) Don Mould of 9449 Island Road, North Ridgeville, Ohio, asked Council to consider passing legislation regarding Ohio Sports Park. He explained that they have been working on this project since October; putting a lot of time and effort into it. He explained that this project is a bonus for North Ridgeville, especially during this economic environment. He offered his time to answer any questions or listen to any input in order to put everyone's minds at ease. He stated that he is in support of Larry and this project.

President Butkowski: Thank you. Is there anyone else that would like to speak tonight? If not, we'll move on to the Administration Reports, Mayor Gillock.

### **ADMINISTRATORS REPORTS:**

#### **A. Mayor:**

Mayor Gillock: Good evening everyone. A short report this evening. First, I would like to inform everyone that Police Officer Patrick West has been nominated as America's Most Wanted All-Star for his activities regarding the unfortunate passing of a young lady. In fact, her mother nominated Pat for this honor. If you would like to vote for Officer West, go to [www.amw.com/allstar/2009](http://www.amw.com/allstar/2009). Voting is only this week and this is the last week. There's a multitude of nominees on there. I believe that Pat is on page twelve. It's quite an honor for him to be nominated especially by the mother. So, I would like for you to consider that.

Next, a couple of exciting things to announce. I have been advised by the Engineering Department that according to the contractor, Underground Utilities, the sewer project on Case Road will be 100 percent complete by the end of May and Dyke Road should be completed by the end on July with some leeway for really bad weather. Considering that the anticipated

completion date for the project was September, I'm sure those residents will be very happy to see this project completed well before then. Also, Pat Catan's Craft Center is now open at the corner of Lear Nagle and Center Ridge Road and that's an exciting addition to the City.

Lastly, I would like to request an Executive Session to discuss the acquisition of property immediately after all the Administrators Reports and the Other Reports; just before number eight on your agenda. We have with us this evening, John Larson from Squire, Sanders and Dempsey, who is here from Cleveland. So, we would like to do this early in the agenda if we could and I would make a motion at this time that, after the other reports prior to council committee reports; second on the agenda that we adjourn to Executive Session to discuss the acquisition of property.

moved by Gillock, seconded by Buescher to hold an Executive Session to discuss the acquisition of property following Other Reports

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

Mayor Gillock: Thank you and that concludes my report.

President Butkowski: Mr. Gillock, I have a question for you. We contracted with West Com on May 2008 to eliminate dispatchers at the Fire Station. Sunday, a week ago Sunday, I called the 911 number at about 12:00 A.M. and they repeated back my address to me; then transferred me to West Com where I got dial tone; then I got a dispatcher on the line who asked me my address and if I saw fire. Now, after that, Station Number One left here at 12:16 A.M.; Station Number Two left at 12:15 A.M. Now, the number two fire truck got to my house at 12:21 A.M. Number one went the wrong way. I live six tenths of a mile from Station Number One. Now, the problem was they had received improper directions. This problem was supposed to be solved when another resident lost their house because the Fire Department went the wrong way. That was two years ago and that problem was supposed to be solved. This West Com thing was supposed to be a really great thing. We're spending a lot on money for that. You have to talk two different people. The 911 in Lorain County knows your address. The one at West Com does not know your address. Now, if you have a child calling and there's a fire, they don't necessarily know the address. It took them six minutes to get to my house. I live six tenths of a mile away. In the meantime; after I had called 911, I called my sister who lives around the corner from me. She got out of bed, got dressed, walked over to my house, took some stuff out of my house and then stood out in the street and screamed down the street at fire truck number one that went the wrong way. We have a problem and I think I'd hate to see that happen to somebody else. It's very disturbing to see the fire truck going the wrong way and that is the second time that has happened to me. I called an ambulance about four years ago and they went the wrong way for that too. I hope I never need them again.

Mayor Gillock: Is there a question in there somewhere?

President Butkowski: Yeah there is. We were supposed to be taken care of that.

Council Member Corcoran: Madam President, is this proper venue for this type of discussion?

President Butkowski: Yes it is. The public has to know that problem has not been taken care of.

Mayor Gillock: Well, I would disagree with much of what you said, but not knowing this was going to be brought up, we're not really prepared to answer that right now and we will look into it and get back to you with answers to your questions.

President Butkowski: Those were the numbers I got from the Fire Chief. I think we have to look into what we approved. I wouldn't want anybody else to come up here and accuse us of the problem, since this is the second time we've had this problem. We'll move on to the Safety-Service Director Johnson.

**B. Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Madam President. A couple of months ago, we received funding from ODOT, 21,000 dollars for a study of our traffic signal timing on Center Ridge Road. This is the study and it might as well be in Greek. Fortunately, our Engineer Larry Griffith has summarized it for me. There is some pretty interesting information we received from it. After they studied it, they put the new timing in on March 4. Going by Mr. Griffith's estimates here, east bound traffic from Lear Nagle to Avon Belden Road will see that the lights were re-timed. The east bound traffic will see an average of 14 percent reduction in delays. West bound traffic will see an average of nine percent reduction in delays. The average east bound traffic stops for lights will be reduced by two stops and the average west bound traffic stops for lights will be reduced to 1.2 stops. Fuel consumption will be reduced by 142 gallons per day that comes out to a 100,000 dollar savings for Center Ridge Road drivers per year. Hybrid carbon admissions will be reduced by 44 pounds per day. Carbon monoxide admissions will be reduced by 198 pounds per day and nitrogen oxide emissions will be reduced by 26 and a quarter pound per day. Aside from all those figures, I travel Center Ridge Road a lot, both on duty and off duty and I've noticed a mark difference in traffic on Center Ridge Road. It's still busy and there's a lot more work that needs to be done out there, but for 21,000 dollars of ODOT money, I think we got our moneys worth out of it as traffic is moving there a whole lot better and that concludes my report.

President Butkowski: Thank you, We're moving on to Mr. Griffith, Engineer.

**C. Engineer:**

Engineer Griffith: Thank you, Madam President. On March 19, 2009, the city of North Ridgeville Storm Water Management Program Annual Report was submitted to the Ohio EPA. As I stated last year, this report is considerably thinner than previous reports since the Ohio EPA now has standard forms that must be used in completing the report. We are no longer required

to send copies of our backup data. Copies are available to anyone, who would wish to obtain one. All members of the Drainage and Flood Control Board will receive a copy. That concludes my report for this evening.

President Butkowski: Thank you, Mr. Costin, our Auditor.

**D. Auditor:**

Auditor Costin: Thank you, Madam Chairman. No report scheduled for this evening.

President Butkowski: Thank you, Mr. Costin.

**E. Other Reports:**

President Butkowski: Our other reports:

Police Department Support Car Report for February 2009;

Visitors Bureau 2008 Annual Report;

Building Department Report for February;

Storm Water Management Program Annual Report; and

Police Department Quarterly Report from October 2008 to December 2008.

President Butkowski: Now, we will adjourn to Executive Session.

Council adjourned into Executive Session at 7:48 P.M. to discuss the acquisition of property.

Council reconvened at 8:23 P.M.

President Butkowski: We will resume our meeting and we will move on.

**COUNCIL COMMITTEE REPORTS:**

President Butkowski: We have no Council Committee Reports tonight.

**CORRESPONDENCE:**

President Butkowski: We have no correspondence.

**OLD BUSINESS:**

President Butkowski: We have no old business.

**NEW BUSINESS:**

President Butkowski: Under New Business we have:

Request from the Parks & Recreation Commission for Council approval to expend \$18,000.00 from the Parks & Recreation Improvement Fund for the purchase of miscellaneous equipment and fencing for the batting cages at Shady Drive Complex.

moved by McLaughlin, seconded by Olesen to expend \$18,000.00 from the Parks & Recreation Improvement Fund

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

President Butkowski:

Received a petition from Jim DeSalvo, Lorain Gateway Development, LLC petitioning Council for the opening of a new street in the City to run from Butternut Ridge Road (also known as State Route 10 and Lorain Road) southerly and easterly a distance of approximately 2,290 feet and to be designated as "Victory Lane" and the improvement of Victory Lane from Butternut Ridge Road to its southerly terminus on City property and the adjacent and related City easements by grading, draining, curbing, paving, constructing sanitary sewers, storm sewers and other storm water drainage improvements, sidewalks and waterlines, together with the necessary appurtenances and work incidental thereto. The Owner requests that 50 percent of the total cost of the Project, including, without limiting the generality of the foregoing, the cost of acquiring the real property and easements, be assessed in proportion to the benefits that may result from the Project upon the Assessed Properties for collection in twenty annual installments. The Owner further requests that the assessments for the Project not be levied and extended upon the tax duplicate until the fifth calendar year following the year in which the City first issues bond anticipation notes or otherwise incurs an obligation for the repayment of borrowed money in anticipation of the collection of those assessments and that interest on the portion of such notes or other obligations issued in anticipation of the collection of those assessments to pay the property owner's portion of the cost of the Project that is payable prior to the collection of the assessments be capitalized and included as part of the cost of the Project to be assessed.

President Butkowski: Do I have a motion to accept?

moved by Jaenke, seconded by McLaughlin to accept

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

President Butkowski: Clerk could you read the new business ordinances that we have?

Clerk of Council Blakely:

T 29-2009 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT FOR THE PURCHASE OF 2.6521 ACRES OF LAND AND ADDITIONAL INTERESTS IN REAL PROPERTY REQUIRED FOR STORM WATER AND UTILITY EASEMENTS NECESSARY FOR THE CONSTRUCTION OF A PUBLIC STREET KNOWN AS VICTORY LANE AND RELATED IMPROVEMENTS IN THE TOTAL APPROXIMATE AMOUNT OF \$469,252.00.

moved by Olesen, seconded by McLaughlin to suspend By-Laws to give this a first reading tonight

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 30-2009 AN ORDINANCE DECLARING THE NECESSITY OF OPENING A NEW STREET, TO BE DESIGNATED VICTORY LANE, ON CITY-OWNED PROPERTY.

moved by McLaughlin, seconded by Olesen to suspend By-Laws to give this its first reading this evening

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 31-2009 A RESOLUTION DECLARING IT NECESSARY TO IMPROVE VICTORY LANE AND ADJACENT AND RELATED CITY EASEMENTS BY GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING SANITARY SEWERS, STORM SEWERS AND OTHER STORM WATER DRAINAGE IMPROVEMENTS, SIDEWALKS AND WATERLINES, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

moved by Olesen, seconded by Jaenke to suspend By-Laws to give this its first reading this evening

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 32-2009 AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF VICTORY LANE AND ADJACENT AND RELATED CITY EASEMENTS BY GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING SANITARY SEWERS, STORM SEWERS AND OTHER

STORM WATER DRAINAGE IMPROVEMENTS, SIDEWALKS AND WATERLINES, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

moved by Corcoran, seconded by Jaenke to suspend By-Laws to give this its first reading this evening

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 33-2009      AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,420,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, AND THE CITY'S PORTION OF THE COST OF IMPROVING VICTORY LANE AND ADJACENT AND RELATED CITY EASEMENTS BY GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING SANITARY SEWERS, STORM SEWERS AND OTHER STORM WATER DRAINAGE IMPROVEMENTS, SIDEWALKS AND WATERLINES, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

moved by Olesen, second by Corcoran to suspend By-Laws to give this its first reading this evening

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 34-2009      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH OHIO SPORTS PARK, INC.

President Butkowski: I'LL ASSIGN THIS TO THE FINANCE COMMITTEE.

T 35-2009      A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO CT CONSULTANTS FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE FY2007 COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) IN THE TOTAL AMOUNT OF \$9,334.25.

Council Member Olesen: Madam President, I have a question.

President Butkowski: Yes, Mr. Olesen.

Council Member Olesen: I think this has to be done, doesn't it Mr. Mayor?

President Butkowski: Yes, it does.

Mayor Gillock: Yes.

moved by Olesen, second by Jaenke to suspend By-Laws to give this its first reading this evening

President Butkowski: Yes, we always have to pay these immediately. Is there any discussion?

Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 36-2009      AN ORDINANCE AMENDING ORDINANCE NO. 4583-2008 BY INCREASING THE AMOUNT OF THE PURCHASE OF A VEHICLE AND RELATED EQUIPMENT THAT WILL BE USED FOR THE DAILY HAULING OF SLUDGE FROM THE FRENCH CREEK WASTE WATER TREATMENT PLANT FROM \$170,000.00 TO \$200,000.00.

moved by Mayor Gillock, second by Olesen to suspend the By-Laws to give this its first reading this evening

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

T 37-2009      AN ORDINANCE ACCEPTING FUNDS FROM THE C.O.P.S. HIRING RECOVERY PROGRAM (CHRP) FOR THE HIRING OF UP TO THREE FULL-TIME POLICE OFFICERS.

President Butkowski: I will refer this to the Finance Committee.

Council Member Buescher: Madam President?

President Butkowski: Yes, Mrs. Buescher.

Council Member Buescher: I would just like to make a request that we pass this, this evening.

Can we get an explanation from Safety-Service Director Johnson on this?

President Butkowski: T 37?

Council Member Buescher: Yes.

President Butkowski: I thought this should go to Finance. Have they discussed this?

Council Member Buescher: No, there was a meeting scheduled for tomorrow night but, the Chairman decided that if this should be passed this evening, then we would cancel tomorrow night's meeting.

President Butkowski: Mr. Costin? Is this a concern that you think should be in Finance? There is usually a concern with these and that is why I turned it to the Finance Committee. So, we will ask Mr. Costin if he has a concern with this?

Auditor Costin: Madam Chairman, I have a concern, but I think the concern in discussing this with the Administration, has been cured. The program, and perhaps the Safety-Service Director would like to delineate, would provide for the funding of three policemen for three years and we would be picking up a prorated share of that portion. After three years, we would be picking up the entire amount of the cost for those three Officers and it was anticipated by the

Administration, that within that period of time; with the growth of the City and other factors, including potential passage of a replacement levy for which we would be collecting our new proceeds in 2012 that we then, would have the finances available to fund the expenditures when they become the responsibility of the City. That would be the discussion at the Finance Committee meeting as well and that is my understanding of this grant.

President Butkowski: I'll withdraw my putting it into Finance Committee as long as that is taken care of. I know there's always been a concern about it. I just thought Finance should discuss it, but if you have already gone over it. . . .

          moved by Buescher, seconded by Corcoran to suspend the By-Laws to give this its first reading this evening

President Butkowski: Is there any discussion?

Council Member Olesen: Yes, Madam President. I'm on the Finance Committee. I knew about the meeting tomorrow night but, I haven't seen anything that told me, except what Mrs. Buescher has relayed tonight, that would cancel this meeting.

Council Member Buescher: Bob, I think we got a message from Paula, an email from Paula. . . .

Council Member Olesen: Was that late today or something?

Council Member Buescher: No, that was yesterday or the day before, stating that if the decision was made to pass this tonight, that we wouldn't have to have the Finance Committee meeting but, if you would prefer to have the meeting, that is fine.

Council Member Olesen: I can't make it anyway.

Council Member Buescher: You wouldn't be there anyway? Then, Bob, why are you asking?

Council Member Olesen: There may be others that would have come to that meeting that may not have been notified that it was cancelled.

Mayor Gillock: Madam President?

President Butkowski: Yes, Mr. Gillock.

Mayor Gillock: I would like to add a couple points. This is a competitive grant. Even though we have applied, there is no guarantee that we are going to get this. I think it is likely that we will, but this was part of the stimulus program and it is a competitive grant. There is a deadline for applications of April 14. So, if we do send it to committee tomorrow, it would require a special meeting later, if Council chose to proceed with it. I think that is why, Mr. Boose said, that if this was acted upon tonight, then we could cancel that Finance Committee meeting tomorrow. Thank you.

President Butkowski: Thank you, we've had this before. We've hired Police under this program before and it always worked out very successfully. I just wanted to be sure and find out if our Auditor had any concerns about it. Is there any other discussion on this? Clerk, please call the roll for the suspension.

          Yes, 6           No, 0

Clerk of Council Blakely: Motion passes by vote of six to zero.

T 38-2009 AN ORDINANCE CREATING THE NON-UNION POSITION OF PART-TIME HUMANE OFFICER AND ESTABLISHING ITS QUALIFICATIONS.

T 39-2009 AN ORDINANCE AMENDING AND REPLACING ORDINANCE NO. 4571-2008 , WHICH PROVIDES FOR PART-TIME NON-UNION JOB POSITIONS, WAGE RATES AND BENEFITS PERTAINING THERETO, BY INCLUDING THE POSITION OF PART-TIME HUMANE OFFICER AND ESTABLISHING THE PAY RATE SCALE FOR THIS POSITION.

T 40-2009 AN ORDINANCE AUTHORIZING AN AGREEMENT FOR A JOINT SPENDING PLAN BETWEEN THE NORTH RIDGEVILLE POLICE DEPARTMENT AND THE LORAIN COUNTY SHERIFF'S OFFICE FOR FUNDING AS APPROVED WITH THE 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD.

moved by Mayor Gillock, seconded by McLaughlin to suspend By-Laws to give this a first reading this evening

President Butkowski: Is there any discussion?

Mayor Gillock: Madam President?

President Butkowski: Yes, Mr. Gillock.

Mayor Gillock: Through the stimulus funding program, we were notified that we had received a grant under the Byrne Justice Assistance program for 15,600 and some dollars. Elyria, Lorain, and Lorain County also received JAG grants under this program. Under the program there can only be one application per county; so, the County Sheriff is making the application basically in the name of all four of us and we would like to enter into this as a joint funding agreement that the Lorain County Sheriff will apply, receive the funds and then distribute it in accordance with the formula. We need to adopt this with the emergency this evening. They have a deadline. I believe that needs to be submitted by April 9 which is stated under the fourth whereas. That is why we would like to get this passed this evening, if we could. Thank you.

President Butkowski: Is there any discussion?

Auditor Costin: Madam Chairman?

President Butkowski: Yes, Mr. Costin.

Auditor Costin: I would add that this was the subject of discussion and approved in the appropriation meetings.

President Butkowski: Is there any other discussion? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Blakely: Motion passes by vote of six to zero.

T 41-2009 AN ORDINANCE AMENDING NRCO SECTION 1056 CONSTRUCTION SITE SOIL EROSION, SEDIMENT, STORM WATER QUALITY CONTROLS

AND REGULATIONS BY UPDATING THE REFERENCES TO THE OHIO  
EPA PERMITS GOVERNING THIS MATTER.

President Butkowski: I WILL REFER THIS TO BUILDINGS AND LANDS.

President Butkowski: We move on to recess. Is there a motion?

**RECESS:**

moved by Jaenke, seconded by Butkowski to suspend recess

President Butkowski: Any discussion?

Council Member Olesen: Could you clarify the motion?

Council Member Jaenke: That we suspend the recess.

President Butkowski: Clerk, please call the roll on suspension of the recess.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

President Butkowski: We move into our first reading.

**FIRST READINGS:**

Clerk of Council Blakely:

T 22-2009      AN ORDINANCE AMENDING SECTION 1228.01(b)(2), DUTIES OF  
REVISED      CITY ENGINEER; CONSTRUCTION SPECIFICATIONS AND  
REGULATIONS, BY DEFINING THE USES TO WHICH A DEPOSIT MAY  
BE APPLIED AND MAKING IT CONSISTENT WITH THE LANGUAGE IN  
DEVELOPMENT AGREEMENTS AND IN SECTION (b)(8).

First Reading

President Butkowski: There will be a public hearing on this on May 4 at 7:20 P.M.

T 29-2009      AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND  
4647-2009      INTER INTO A CONTRACT FOR THE PURCHASE OF 2.6521 ACERS OF  
LAND AND ADDITION INTEREST IN REALTY PROPERTY REQUIRED  
FOR STORM WATER AND UTILITY EASEMENTS NECESSARY FOR THE  
CONSTRUCTION OF A PUBLIC STREET KNOWN AS VICTORY LANE  
AND RELATED IMPROVEMENTS IN THE TOTAL OF APPROXIMATE  
AMOUNT OF FOUR HUNDRED SIXTY NINE THOUSAND TWO  
HUNDRED AND FIFTY TWO DOLLARS.

First Reading

moved by Olesen, seconded by Jaenke to dispense with second and third readings

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

moved by Olesen, seconded by Jaenke to adopt

President Butkowski: Do we have any discussion on the adoption?

moved by Olesen, seconded by Jaenke to add the emergency due to the timeliness of this project to get it off on the right footing

President Butkowski: Do we have any discussion on the emergency? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: The emergency passes by a vote of six to zero.

President Butkowski: A motion was made by Olesen and seconded by Jaenke to adopt with the emergency. Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4647-2009.

Permanent Ordinance No. 4647-2009

T 30-2009        AN ORDINANCE DECLARING A NECESSITY OF OPENING A NEW  
4648-2009        STREET TO BE DESIGNATED VICTORY LANE ON CITY OWNED  
PROPERTY.

First Reading

President Butkowski: Do I have a motion?

moved by Corcoran, seconded by Jaenke to dispense with the second and third readings

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

moved by Olesen, seconded by Jaenke to adopt

President Butkowski: Do we have any discussion?

moved by Olesen, seconded by Jaenke to add the emergency because of the timeliness of the project

President Butkowski: Do we have any discussion on the emergency? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: The emergency passes by a vote of six to zero.

President Butkowski: A motion was made by Olesen and seconded by Jaenke to adopt with the emergency. Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4648-2009.

Permanent Ordinance No. 4648-2009

T 31-2009      A RESOLUTION DECLARING IT NECESSARY TO IMPROVE VICTORY  
1156-2009      LANE AN ADJACENT RELATED CITY ELEMENTS BY GRADING,  
DRAINING, CURBING, PAVING, CONSTRUCTING SANITARY SEWERS,  
STORM SEWERS, AND OTHER STORM WATER DRAINAGE  
IMPROVEMENTS, SIDEWALKS, AND WATERLINES TOGETHER WITH  
THE NECESSARY APPURTENANCES AND WORK INCIDENTAL  
THERETO.

First Reading

moved by Olesen, seconded by Jaenke to dispense with second and third reading

President Butkowski: Do we have any discussion? Clerk, please call the roll on the suspension.

Yes, 6            No, 0

Clerk of Council Blakely: Suspension passes by a vote of six to zero.

moved by Olesen, seconded by Jaenke to adopt

President Butkowski: Is there any discussion?

moved by Olesen, seconded by Jaenke to add the emergency because of the  
previous information that was already mentioned

President Butkowski: Do we have a discussion on the emergency? Please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: The emergency passes by a vote of six to zero.

President Butkowski: A motion was made by Olesen and seconded by Jaenke to adopt with the  
emergency. Is there any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes resolution number  
1156-2009.

Permanent Resolution No. 1156-2009

T 32-2009      A ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT  
4649-2009      OF VICTORY LANE AND ADJACENT IN RELATED CITY EASEMENTS  
BY GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING  
SANITARY SEWERS, STORM SEWERS, AND OTHER STORM WATER  
DRAINAGE IMPROVEMENTS, SIDEWALKS, AND WATERLINES  
TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK  
INCIDENTAL THERETO.

First Reading

moved by Olesen, seconded by Corcoran to dispense with the second and third  
readings

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion to suspend passes by a vote of six to zero.

moved by Olesen, seconded by McLaughlin to adopt

moved by Olesen, seconded by McLaughlin to add the emergency again, because of the timeliness of this project

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: The emergency passes by a vote of six to zero.

President Butkowski: A motion was made by Olesen and seconded by McLaughlin to adopt with the emergency. Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4649-2009.

Permanent Ordinance No. 4649-2009

T 33-2009            AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES  
4650-2009            IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF TWO  
MILLION FOUR HUNDRED AND TWENTY THOUSAND DOLLARS IN  
ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY THE PROPERTY  
OWNERS PORTION IN ANTICIPATION OF THE LEVY AND COLLECTION  
A SPECIAL ASSESSMENTS AND THE CITIES PORTION OF THE COST OF  
IMPROVING VICTORY LANE AN ADJACENT RELATED CITY  
EASEMENTS BY GRADING, DRAINING, CURBING, PAVING,  
CONSTRUCTING SANITARY SEWERS, STORM SEWERS, AND OTHER  
STORM WATER DRAINAGE IMPROVEMENTS, SIDEWALKS, AND  
WATERLINES, TOGETHER WITH THE NECESSARY APPURTENANCES  
AND WORK INCIDENTAL THERETO.

First Reading

moved by Olesen, seconded by McLaughlin to dispense with the second and third readings

President Butkowski: Do we have any discussion?

Council Member Olesen: Madam President, I think for the benefit of the audience, I think that we should mention that this project is for the Sports Zone Project and as it was mentioned that this project is sold out. This will bring new business into our City and it is probably going to bring a good bit of income tax to our coiffeurs and I think this is a very important project. I think that you will see in the votes tonight on this that City Council is also recognizing this. Thank you.

moved by Mayor Gillock, seconded by Corcoran to amend T 33 on page two, fifth line down by adding the words in the manner provided in Resolution Number 1156-2009, adopted on April 6, 2009

President Butkowski: Is there any other discussion? Clerk, please call the roll on the amending motion.

Yes, 6            No, 0



President Butkowski: I there any other discussion? Please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes resolution number 1157-2009.

Permanent Resolution No. 1157-2009

T 36-2009\_\_\_\_AN ORDINANCE AMENDING ORDINANCE NUMBER 4583-2008 BY  
4651-2009     INCREASING AMOUNT OF THE PURCHASE OF A VEHICLE IN  
                 RELATED EQUIPMENT THAT WILL BE USED FOR THE DAILY  
                 HAULING OF SLUDGE FROM THE FRENCH CREEK WASTE WATER  
                 TREATMENT PLANT FROM \$100,000 TO \$200,000

First Reading

moved by Olesen, seconded by Jaenke to dispense with second and third readings

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

moved by Olesen, seconded by Jaenke to adopt

President Butkowski: Is there any discussion?

moved by Olesen, seconded by Jaenke to add the emergency because we are going to desperately need this equipment now at the treatment center

President Butkowski: Is there any discussion on the emergency?

Mayor Gillock: Madam President?

President Butkowski: Yes, Mr. Gillock.

Mayor Gillock: We have already purchased the truck. This is for the trailer and containers that will be used to basically catch the sludge as it comes off the conveyor belt from the line. As you all know, the EPA has ordered us to get our sludge out of there. Until we get this equipment, we are still stock piling it on site. We need this, so we can start disposing of it properly.

President Butkowski: Is there any other discussion on the emergency? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Emergency passes by a vote of six to zero.

President Butkowski: A motion was made by Olesen and seconded by Jaenke to adopt with the emergency. Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4651-2009.

Permanent Ordinance No. 4651-2009

T 37-2009     AN ORDINANCE ACCEPTING FUNDS FROM THE C.O.P.S. HIRING  
4652-2009     RECOVERY PROGRAM (CHRP) FOR THE HIRING OF UP TO THREE  
                 FULL-TIME POLICE OFFICERS.

First Reading

moved by Corcoran, seconded by Buescher to dispense with the second and third readings tonight

(tape one ended)

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

moved by Corcoran, seconded by McLaughlin to adopt

moved by Corcoran, seconded by McLaughlin to add the emergency due to the timeliness in accepting the funds

President Butkowski: Do we have any discussion on the emergency? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Emergency passes by a vote of six to zero.

President Butkowski: A motion was made by Corcoran and seconded by McLaughlin to adopt with the emergency. Is there any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4652-2009.

Permanent Ordinance No. 4652-2009

(tape two begins)

T 40-2009        AN ORDINANCE AUTHORIZING AN AGREEMENT FOR A JOINT  
4653-2009        SPENDING PLAN BETWEEN THE NORTH RIDGEVILLE POLICE  
                         DEPARTMENT AND THE LORAIN COUNTY SHERIFFS OFFICE FOR  
                         FUNDING AS APPROVED WITH THE 2009 BYRNE JUSTICE ASSISTANCE  
                         GRANT (JAG) PROGRAM AWARD.

First Reading

moved by Corcoran, seconded by McLaughlin to dispense with the second and third readings tonight

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Suspension passes by a vote of six to zero.

moved by Corcoran, seconded by McLaughlin to adopt

moved by Butkowski, seconded by Corcoran to add the emergency because of the deadline

President Butkowski: Do we have any discussion on the emergency? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes on the emergency by a vote of six to zero.

President Butkowski: A motion was made by Corcoran and seconded by McLaughlin to adopt with the emergency. Is there any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4653-2009.

Permanent Ordinance No. 4653-2009

President Butkowski: That is all the first readings we have tonight.

**SECOND READINGS:**

President Butkowski: We have no second readings.

**THIRD READINGS:**

President Butkowski: Our third reading will be T 168.

Clerk of Council Blakely:

T 168-2008    AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED  
4654-2009    ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS  
THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND:  
APPROXIMATELY 4.7798 ACRES AND PART OF 35496 LORAIN ROAD,  
PERMANENT PARCEL NUMBER 07-00-024-101-106; (AS SHOWN BY  
LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE DISTRICT TO I-2  
LIGHT INDUSTRIAL DISTRICT AND OWNED BY STONE RIVER  
INDUSTRIAL PROPERTIES, LLC.

Third Reading

moved by Corcoran, seconded by McLaughlin to adopt

President Butkowski: Do we have any discussion? Clerk, please call the roll.

Yes, 6            No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and becomes ordinance number 4654-2009.

Permanent Ordinance No. 4654-2009

President Butkowski: For T 10 tonight, I will postpone that until the next meeting which is April 20, 2009.

**COMMITTEE MEETING ANNOUNCEMENTS:**

President Butkowski: Upcoming meeting announcements:

Next Regular Council Meeting Monday, April 20, 2009 at 7:30 P.M. in Council Chambers

Public Hearing Monday, May 4, 2009 at 7:20 P.M. re: T 22-2009, amend Section 1228.01(b)(2), Duties of City Engineer; Construction Specifications and Regulations, by defining the uses to which a deposit may be applied and making it consistent with the language in development agreements and in Section (B)(8).

**ADJOURNMENT:**

                  moved by Jaenke to adjourn

Meeting adjourned at 9:09 P.M.

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Approval of Minutes:

MOTION           Jaenke           2ND           Olesen           DATE           April 20, 2009          

YES           6           NO           0           ABSTAIN           1 Abstain - Boose